

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC

Comments on second order on reconsideration and further notice of  
proposed rulemaking  
By Randal J. Miller, president, Kaskaskia Broadcasting, Inc., licensee of  
WRAN(FM) Tower Hill, IL  
August 22, 2005

Now comes Randal J. Miller, president of the above corporation, with comments on the low power FM rulemaking.

As far as major and minor changes to low power FM radio stations, we believe the Commission should treat them just as they treat all other major and minor changes, with the same rules and limits as other broadcasters are treated. This is the fairest and most equitable way of handling such things as transmitter site moves, issuance of construction permits, and the transfer of control of low power FM radio stations. The only stipulation we would suggest, is that the transferee in a sale of a low power FM radio station, be another non-profit LOCAL entity, not a non-profit or for-profit national concern that would potentially turn the low power FM radio station into a translator.

Construction permits should be allowed for low power FM radio stations, within 3 years as other broadcast CP's are now. This again is the easiest way to approach the situation.

We also submit that the Commission continue to instruct low power FM radio stations, that they CANNOT TAKE ANY PROGRAMMING from any external programming source, whether it be delivered by telephone, Internet or satellite. Low power FM radio stations were created by the Commission to provide a LOCAL public service, and not become a repeater of national programming fed from elsewhere.

We believe that both translators and low power FM radio stations, both should continue to be treated as secondary services by the Commission, subject to being "bumped" by full-power FM radio stations. Both owners of

translators and low power FM radio stations, are aware of their status going into applying for a potential frequency, and know that they are secondary services and are subject to possible displacement by a full-power FM signal.

But in this rulemaking, we would like to see the Commission allow translators to locally originate up to 50% of their total broadcast hours in a week. There are situations where broadcasters who own translators, both non-commercial and commercial, would like the opportunity to broadcast a city council meeting or play-by-play of a high school sports contest, on a translator specifically serving that particular community. Under present rules, broadcasters are prohibited from doing that.

We would also like to see the Commission, as a part of this rulemaking, allow the licensee of daytime AM radio stations, to re-broadcast their signal full-time on an FM translator. Daytime AM radio stations have long-served their audience well on a daytime basis, and short of having sufficient power to cover their local community at night, the addition of FM translator service—operating under the existing translator rules as a secondary service—would allow these AM daytime radio stations to serve their community at night, which they cannot do now.

If this were allowed, we would submit that AM daytimers could not locally originate any programming on their separate FM translator—it would be a repeater of the AM programming 100% of the time, except obviously when the AM station is off the air at night, with which the AM daytime station could continue their programming to their local community—a service they cannot provide now.

Finally, we would suggest to the Commission, that, as it were, a trade-off take place, whereby broadcasters—whether non-commercial or commercial—be allowed to locally originate up to 50% of a translator's programming, and AM daytimers be allowed to apply for, own and re-broadcast their programming on an FM translator. In exchange for these changes, the Commission would allow both low power FM radio stations and translators—again as secondary services—to be authorized on channels now prohibited due to third adjacent channel protection now given full-power FM radio stations.

The above suggestions, give the Commission a lot of flexibility and also doesn't have to create another set of rules as far as how to treat low

power FM applications, construction permits, licenses and transfers of control, as well as continuing to treat both low power FMs and translators as secondary radio services.

August 22, 2005

Randal J. Miller, President